

FILED IN CHAMBERS

ORIGINAL

United States District Court  
NORTHERN DISTRICT OF GEORGIA

JUN 30 2015  
U.S. MAGISTRATE JUDGE  
N D. GEORGIA

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Jalita Jenera Johnson

Case Number: 1:15-MJ-541

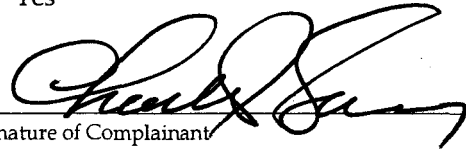
I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about April 23, 2015 in Clayton County, in the Northern District of Georgia, defendant did, knowingly make a false statement and representation to Arrowhead Pawn Shop, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Arrowhead Pawn Shop, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473 Firearms' Transaction Record, to the effect that she, JOHNSON, was the actual buyer and transferee of the firearm, whereas in truth and in fact, Marcus Wheeler was the actual buyer and transferee of the firearm,

in violation of Title 18, United States Code, Section(s) 924(a)(1)(a).

I further state that I am a(n) Special Agent with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes



Signature of Complainant  
Charles W. Sedberry

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

June 30, 2015

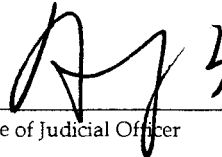
Date

at Atlanta, Georgia

City and State

ALAN J. BAVERMAN  
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer  
AUSA Mary L. Webb / 2015R00552



Signature of Judicial Officer

### **AFFIDAVIT**

I, Charles W. Sedberry, being duly sworn, depose and state:

1. That I am a Special Agent (SA) with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since July of 2000.
2. As an ATF Special Agent, I have received training in the enforcement of violations of state and Federal firearms laws. I am currently assigned to the Atlanta Group III, a metro enforcement group, but I served over four years in a dedicated firearms trafficking group. In that capacity I have participated in an excess of one hundred (100) investigations involving illegal trafficking in firearms.
3. This affidavit is based upon my personal knowledge and observations, as well as those of other ATF Agents and local law enforcement officers. This affidavit contains information to support probable cause but is not intended to convey the facts of the entire investigation.
4. On May 21, 2015, Atlanta ATF agents received information from the ATF Omaha, Nebraska Field Office concerning a firearm that was traced to Jalita Jenera JOHNSON (residing at 681 Flint River Road, Jonesboro, Georgia 30274). The weapon was recovered by law enforcement on 05/20/2015 after the shooting of an Omaha Police Department Officer which resulted in the officer's death.
5. The firearm was further described as a Glock pistol, model 19, 9mm caliber, serial number ADG904US. The firearm was fitted with a 50 round drum magazine when recovered by law enforcement in Omaha, Nebraska.
6. The ATF firearm trace information indicated that the pistol was purchased by JOHNSON on 04/23/2015 from Arrowhead Pawn Shop, a Federal Firearms Licensee (FFL) located at 6433 Tara Boulevard, Jonesboro, Georgia 30236, which is in the Northern District of Georgia.
7. On May 22, 2015, SA Benjamin Southall and I contacted JOHNSON at her residence, 681 Flint River Road, Apartment number 58-B, Jonesboro, Georgia 30274, in reference to the recovery of the firearm she had purchased.
8. I identified SA Southall and myself and asked to speak with JOHNSON. JOHNSON agreed to speak with agents and invited us into her residence.
9. SA Southall asked JOHNSON if she had recently purchased a firearm. JOHNSON told us she had recently purchased a firearm from a pawnshop on Tara Boulevard. JOHNSON was unsure of the manufacture of the firearm and could only describe the weapon as a 9mm handgun.

10. SA Southall showed JOHNSON a copy of an ATF Form 4473 Firearms' Transaction Record previously obtained from Arrowhead Pawn Shop that was completed on 04/23/2015, when JOHNSON purchased a Glock pistol, model 19, 9mm caliber, serial number ADG904US. JOHNSON verified that the form looked like a copy of the form she completed when she purchased the listed firearm.
11. The ATF Form 4473 indicated that JOHNSON replied "yes" to question 11. (a.) on the ATF Form 4473 Firearms' Transaction Record that asked "Are you the actual transferee/buyer of the firearm(s) listed on this form?"
12. SA Southall showed JOHNSON a copy of the sales ticket from Arrowhead Pawn Shop indicating the purchase of a Glock pistol, serial number ADG904US, ammunition and a 50 round 9mm Glock magazine. JOHNSON said the items listed on the sales ticket were the items she purchased from Arrowhead Pawn Shop.
13. SA Southall asked JOHNSON where the firearm was currently located. JOHNSON initially said she did not know where the firearm was and added that someone who was staying with her had taken the gun.
14. Upon further questioning, JOHNSON admitted that she purchased the firearm for her boyfriend, Marcus WHEELER. JOHNSON told agents, WHEELER lived out of state and would visit her from time to time.
15. JOHNSON said she had not spoken with WHEELER for over three (3) days.
16. SA Southall showed JOHNSON a full page color photograph depicting one (1) black male subject. JOHNSON identified the individual in the photograph as the person she knew as Marcus WHEELER.
17. On May 20, 2015, WHEELER was killed during the armed confrontation with the City of Omaha Police Department, Omaha, Nebraska, referenced above in paragraph 4, which also resulted in the death of an Omaha Police Officer.
18. JOHNSON said WHEELER had asked her to purchase a drum magazine and firearm during his last visit and she had agreed and purchased the firearm and magazine for WHEELER.
19. JOHNSON told agents WHEELER provided her with the money to purchase the firearm and told her to purchase a firearm that would work with the drum magazine he wanted.
20. WHEELER sent JOHNSON to the Arrowhead Pawn Shop. While JOHNSON was in the pawn shop, WHEELER sent JOHNSON several text messages indicating what to purchase. JOHNSON remembered purchasing the gun, a large magazine and two (2) boxes of ammunition. JOHNSON said after she purchased the firearm she gave it to WHEELER.

21. On June 3, 2015, SA Southall and I met with JOHNSON at her residence for follow up interview. Once again JOHNSON admitted to purchasing the aforementioned Glock pistol, ammunition and 50 round magazine for Marcus WHEELER. This interview was electronically recorded by agents.
22. Based upon the above information, I believe that there is probable cause to believe that Jalita Jenera JOHNSON did knowingly cause false representations to be made with respect to information required to be kept in the records of a federal firearms dealer in violation of Title 18, United States Code, Section 924(a)(1)(A).